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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,767	07/05/2001	Thomas E. Mallouk	105557	2345

23490 7590 11/12/2003

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EXAMINER

BYRD, DEVON R

ART UNIT	PAPER NUMBER
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1639

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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10

DATE MAILED:

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**Commissioner for Patents**

**ELECTION/RESTRICTION : BONAFIDE ATTEMPT LETTER**

The communication filed September 25 in paper no. 9 is not fully responsive to the Office communication mailed in paper no. 7 (dated 8/8/03) for the reason(s) set forth herein.

The examiner required an election of a representative species for each of the following generic categories (a)-(f):

(a) a catalyst (conductive or otherwise) array support, (b) a detector, (c) solids, (d) a reagent fluid (e.g., hydrogen, oxygen reformat gas, etc.), (e) an ion concentration indicator (e.g., Phloxine, Ni-3-pyridin-2-yl-<4,5,6>-triazolo-<1,5-a>-pyridine, etc.), (f) a 2nd reagent fluid.

Applicant's reply was non-responsive because Applicant merely restated the generic category of "a catalyst array support" rather than electing a single representative species of this (or any other) generic category corresponding to items (a)-(f) as recited above.

Applicant is required to elect a single representative:

- (a) material for "a catalyst array support" (e.g., carbon paper),
- (b) detector (e.g., human eye, or a specific type of analytical instrumentation),
- (c) solid (e.g., a material to be deposited upon a catalyst array support of the invention),
- (d) reagent fluid (e.g., hydrogen, oxygen reformat gas, etc.),
- (e) an ion concentration indicator (e.g., Phloxine, Ni-3-pyridin-2-yl-<4,5,6>-triazolo-<1,5-a>-pyridine, etc.),
- (f) a 2nd reagent fluid (vide supra).

Applicant's response to the Notice of Non-Compliant Amendment in Paper No. 9 asserts that the "only amendment applicants made to the claims were to cancel Claims 17-32 in response to a restriction requirement". Applicant's attention is directed to Paper No. 5, (dated October 10, 2002) which is Applicant's Preliminary Amendment, and in which Applicant amended claims 1, 3, 13, 17, and 25. Applicant is not in compliance since claims 1, 3, and 13 have not been provided with the proper status identifier "currently amended".

Since the above-mentioned reply appears to be bona fide attempt to comply, applicant is given a TIME PERIOD of ONE (1) MONTH from the mailing date of this communication within which to correct the deficiency. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

General information regarding further correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Byrd whose telephone number is (703) 305-0159.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Wang (art unit 1639), can be reached at (703)306-3217.

Any inquiry of a general nature, or relating to the status of this application, should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Devon Byrd (art unit 1639)  
November 12, 2003.

BENNETT CELSA  
PRIMARY EXAMINER

